App. F. IX-4

Previous References.

194 /. (Paris)

File No. 62 - 41

Serial Nos. 17

Later References.

PRESERVED

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. one .

Part B for July 1942

SUBJECT.

Recommendation No. 180 of the P. Reforms Committee regarding the detention of Convicts attending Courts or in transit, cases.

To.

The I.G. of Prisons.
" I.G. of Police.
" Registrar, High Court of Mysore

Accepts the _____

T. Achappaiya.
29.7.42

Recommendation No. 180 of the Prison Reforms Committee

Serial No.

Convicts sent in custody to a Session Court to undergo Trial in cases triable by jury are allowed, under Rule 348 of the jail manuals, to wear ordinary private clothing, and in other cases the Superintendent is required to provide clothing of a kind suitable to the class to which the convict belongs. Prisoners in transit from one jail to another are allowed the prescribed jail clothing (Rule 442).

The Prison Reforms Committee, however, recommend, in para 38 of Chapter VII of their Report, that prisoners should be permitted to wear their own ordinary clothing when attending a court either as witnesses or as accused persons, and when being transferred from one prison to another.

The I.G. of Prisons states that this recommendation may be adopted, necessary provision being made in the jail and lock-up manuals*.

An identical recommendation was made by the Indian Jails Committee in 1920 in British India, and provision to that effect was made in the jail manuals of some of the Provinces. Thus rule 372 of the Madras Manual provides —

WD 04155—GPB—55,000—23-10-41

704/44

File No. of 194 . | General and Revenue Secretariat.

Serial No.

"Convicts sent in custody to a Court either as a witness or as an accused person shall wear ordinary private clothing for this purpose the private clothing of convicts retained in jail under the provisions of Chapter XXV of Part I of Volume II of the Madras Prison and Reformatory Manual or tendered by friends or relatives shall be issued to the convict before proceeding to, and withdrawn on his returns from, Court daily. In other cases the Superintendent shall provide clothing of a kind suitable to the class to which the convict belongs"

As regards prisoners in transit rule 486(1) provides that every prisoner during transit, shall be allowed to wear his private clothing and shall be provided with jail bedding, eating and drinking vessels and dietary and that whenever the private clothing of a prisoner has been destroyed or sold, he shall, on transfer, be provided with clothing as supplied on release.

The adoption of these rules would supplement the recommendations of the Committee. Submitted for orders.

MRV
29/6

[illegible]

Prison Reforms – wearing of clothes when attending courts &c.

General and Revenue Secretariat

File No. 62 of 194 [App. F. III—2

Serial No.

DEWAN'S OFFICE
11. JUL. 1942
NO. 491

OFFICE OF THE LAW
JUL 9 1942

The recommendation made in para 35-7 Ch VIII that prisoners should be permitted to wear their own ordinary clothing when attending Court – & when being transferred from one prison to another may be accepted as opinion suggested by the S. G. P.

Minister for Law
&
Dewan

8-7-42

MW
14/7/42

15-7-42

Draft G.O. as submitted for consideration

In the case of the Lock-up Manual no amendment is required as suggested by the S. G. P, since prisoners in the Lock-ups ordinarily wear their own clothing (Rule 111(

Law Secy)

May be approved

Minister for Law

21-7-

OFFICE OF THE LAW
JUL 21 1942

SECY. LAW DEPT.
698
20 JULY 1942
GOVT OF MYSORE

NOTE—Contn. Sheet.

WD 04155—GPB—55,000—23-10-41

Recommendations re 180 of the Prisons
Releases Committee

File No. 62 of 194 .

General and Revenue Secretariat.

Serial No.

Writ Petitions
Patna.
.. Petr. High Court
G.O.Misc. 602-Ord 23-7-42
Issues amendments to rules
314 & 442 of the Jail manual.

B
27/7/16

Proceedings of the Govt of His Highness the Maharaja.

Read: Recommendation No. 180 of the Prison Reforms Committee regarding the clothing of convicts attending courts or in transit, and the views of the I.G. of Prisons thereon.

Order No. P602-04 P&S 62-41-8 23.7.42.

Under rule 348 of the Jail Manual convicts sent in custody to a Sessions Court to undergo trial in cases triable by jury are allowed to wear ordinary private clothing, and in other cases, the Superintendent is required to provide clothing of a kind suitable to the class to which the convict belongs. Prisoners in transit from one jail to another are allowed under Rule 342 the prescribed jail clothing.

The Prisons Reforms Committee ~~have~~ recommend in paragraph 88 of Chapter VIII of their Report, that prisoners should be permitted to wear their own ordinary clothing when attending as Court either as witnesses or as accused persons, and when being transferred from one prison to another. The I.G. of Prisons also agrees with the Committee.

Govt consider that ~~there is no need to parade~~ prisons costume outside its proper sphere, and are ~~accordingly~~ pleased to accept the recommendation of the Committee. ~~They direct the following amendments in~~ They direct accordingly that ~~the following amendments be made in the jail and Sub rules contained in the jail and Sub-rule Manuals~~:-

The following shall be substituted for rules 348 and 442 of the Rules in the Jail Manual —

"348. A convicted sent in custody to a court either as a witness or as an accused persons shall wear his ordinary private clothing. For the purpose the private clothing of convicts retained in jail under the provisions Chapter XXV of these rules or tendered by friends or relatives shall be issued to the convict before proceeding to, and withdrawn on his return from, court daily. In other cases the Supt shall provide clothing of a kind suitable to the class to which the convict belongs".

"442. Every prisoner, during transit, shall be allowed to wear his private clothing and shall be provided with jail bedding, eating and drinking Vessels and dietary. Whenever the private clothing of a prisoner has been destroyed or sold, he shall, on transfer be provided with clothing as supplied on release under rule 388".

~~2. The following shall be inserted after rules 442 A and 442 B~~

4 their neck-tickets and ankle-rings shall also be removed.

Sd
21-7-42
Secy to Govt, Jail Deptt.

MNV
18/7/42

To,

The I.G. of Prisons
The I.G. of Police
The Registrar, High Court

Extract from the opinion of the I.G. of Prisons on the recommendations of the Prison Reforms Committee.

Recommendation No. 180/K:- Prisoners should be permitted to wear their own ordinary clothing when attending a court either as witnesses or as accused persons, and when being transferred from one prison to another.

I.G.P.'s views thereon - This suggestion may be adopted, necessary provision being made in the jail and lock-up manuals.

MWW
29/6

TERMS OF GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

Read:- Recommendation No.180 of the Prison Reforms Committee regarding the clothing of convicts attending Courts or in transit, and the views of the Inspector General of Prisons thereon.

ORDER NO.P 602-06 Pris 62-41-17

Dated, Bangalore, the, 23 25 July 1942.

Under rule 348 of the Jail Manual convicts sent in custody to a Sessions Court to undergo trial in cases triable by Jury are allowed to wear ordinary private clothing, and in other cases, the Superintendent is required to provide clothing of a kind suitable the class to which the convict belongs. Prisoners in transit from one Jail to another are allowed under Rule 443 the prescribed Jail clothing.

The Prison Reforms Committee recommend in paragraph 35 of Chapter VIII of their Report, that prisoners should be permitted to wear their own ordinary clothing when attending a Court either as witnesses or as accused persons, and when being transferred from one prison to another. The Inspector General of Prisons also agrees with the Committee.

Government consider that prison costume need not be used outside its proper sphere, and are pleased to accept the recommendation of the Committee. They direct accordingly that the following be substituted for rules 348 and 443 of the rules in the Jail Manual--

"348.A Convict sent in custody to a Court either as a witness or as an accused person shall wear ordinary private clothing; For this purpose the private clothing of convicts

(contd)-

convicts retained in Jail under the provisions of Chapter XXV of these rules or tendered by friends or relatives shall be issued to the convict before proceeding to, and withdrawn on his return from, Court daily. In other cases the superintendent shall provide clothing of a kind suitable to the class to which the convict belongs."

"448. Every prisoner, during transit, shall be allowed to wear his private clothing and shall be provided with Jail bedding, eating and drinking vessels and dietary. Whenever the private clothing of a prisoner has been destroyed or sold, he shall, on transfer be provided with clothing as supplied on rules under rule 288."

M. K. Narasaraya
Secretary to Government,
Law Department.

To

The Inspector General of Prisons in Mysore.
The Inspector General of Police in Mysore.
The Registrar, High Court of Mysore.